
**CITY COUNCIL CHAMBERS
11465 W CIVIC CENTER DRIVE
AVONDALE, AZ 85323**

**Thursday, September 20, 2018
6:00 P.M.**

1. CALL TO ORDER

2. ROLL CALL

3. OPENING STATEMENT

4. APPROVAL OF MINUTES

a. August 16, 2018

5. PUBLIC HEARING ITEMS

1. PL-18-0057 PHO Mentira

This is a public hearing before the Planning Commission to review Application PL-18-0057 PHO Mentira, a request by Ms. Nancy Smith with Command Communications, for approval of a Conditional Use Permit (CUP) to allow a 55-foot high monopalm wireless service facility on an approximately 50 gross acres located at the northwest corner of Avondale Blvd. and the I-10 Freeway.

Staff Contact: Byron Easton

2. PL-18-0101 Avondale Recycling

This is a public hearing before the Planning Commission to review Application PL-18-0101 Avondale Recycling, a request by Mr. Leonel Fuentes with Avondale Recycling, for approval of a Conditional Use Permit (CUP) to allow a recycling facility with metals collecting and crushing on property approximately 1.5 acres located at the southwest corner of Eliseo C. Felix Jr Way and Brinker Dr.

Staff Contact: Byron Easton

3. PL-18-0175 D-Bat

This is a public hearing before the Planning Commission to review Application PL-18-0175, a request by Mr. Vince Dalke with Dalke Design Group, LLC, for approval of a Conditional Use Permit to allow an indoor sports training facility located in Building A of the Avondale Commerce Center; 1050 N. Fairway Drive. The proposed indoor sports training facility provides individual and team training for kids of all ages focusing on baseball, softball, and golf.

Staff Contact: Rick Williams

6. COMMISSION ANNOUNCEMENTS

7. PLANNING DIVISION REPORT

8. CALENDAR

- a. Next meeting is October 18, 2018

9. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, impresión grande o intérprete, deben comunicarse con la Secretaria de la Ciudad al 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta.

Staff Signature

Date

PLANNING COMMISSION REGULAR MEETING MINUTES

CITY COUNCIL CHAMBERS
11465 W CIVIC CENTER DRIVE
AVONDALE, AZ 85323

Thursday, August 16, 2018
6:00 P.M.

I. CALL TO ORDER

Vice Chair Van Leuven called the Regular Meeting to order at approximately 6:01 p.m.

II. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT

Russell Van Leuven, Vice Chair

Lisa Amos, Commissioner

Lisa Osborne, Commissioner

Christopher Thompson, Commissioner

Troy Timmons, Commissioner

Denise Stanfield, Alternate

ABSENCE EXCUSED

Kristopher Ortega, Chair

ABSENCE UNEXCUSED

Pearlette Ramos, Commissioner

CITY STAFF PRESENT

Jodie Novak, Planning Manager

Rick Williams, Senior Planner

Byron Easton, Senior Planner

Nicholle Harris, City Attorney

III. OPENING STATEMENT

Vice Chair Van Leuven read the Opening Statement.

IV. APPROVAL OF MINUTES

Vice Chair Van Leuven invited a motion to approve the minutes. Commissioner Osborne moved to accept the minutes from the July 19, 2018 regular meeting as presented. Commissioner Thompson seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Vice Chair	Aye
Lisa Amos	Aye
Lisa Osborne	Aye
Christopher Thompson	Aye
Troy Timmons	Aye

The motion was approved unanimously.

V. PUBLIC HEARING ITEMS

1. PL-18-0098 - Lakin Property Phase I Preliminary Plat

This is a hearing before the Planning Commission to review Application PL-18-0098, a request by Mr. John Bradley, on behalf of Brookfield Residential, for approval of a Phase I Preliminary Plat for the Lakin Property development. The Phase I Preliminary Plat covers approximately 138.57 gross acres of land located at the southwest corner of Avondale Boulevard and the Broadway Road alignment. The proposed Preliminary Plat would subdivide the 138.57 acres into 461 single-family residential lots and 42 open space tracts. Staff Contact: Rick Williams.

Rick Williams, Senior Planner, stated that the overall Lakin development is 1,124 acres in size. Phase 1 Preliminary Plat is bordered to the north by Broadway Road, to the east by Avondale Boulevard, to the south by Southern Avenue, and to the west by Dysart Road. This represents the first phase of the residential development. The unique characteristics of the Phase I Preliminary Plat include four formative parks and a community park. The central features of the park will be a community pool, playground equipment, and a turf track. The entry monument located on the southwest corner of Avondale and Broadway Road will emphasize the view corridor to the Estrella Mountains.

Mr. Williams said staff has concluded that the Lakin development conforms to the 2030 General Plan and the Lakin Property PAD. The development standards are reasonable and will not be detrimental to surrounding areas. The conditions of approval ensure conformance with the approved PAD, the Zoning Ordinance, and other applicable City codes, ordinances, and policies. Staff has added a reference in the stipulations pointing to standards contained within the Pre-Annexation Development Agreement that was previously approved by City Council. He emphasized that the meaning of the stipulations has not changed, and that staff recommends approval.

Vice Chair Leuven inquired whether the community park is a City park. Mr. Williams said it is not. Vice Chair Van Leuven inquired whether this development is located within a flood zone. Mr. Williams stated that certain portions of the overall development are within the floodplain, but deferred to the Applicant for a more detailed response.

Vice Chair Van Leuven invited the Applicant to address the Commission. Roger Theis, 28420 N. 65th Lane, Phoenix, AZ, 85083, explained that a portion of the property is currently part of the floodplain. The adjustment out of the floodplain was approved by FEMA, Maricopa Flood Control District and the City of Avondale. The process becomes official once the 30-day public notification process is over. He noted that while the revision will remove any portion of Phase 1 from the floodplain, the preliminary plat must display the floodplain on the map at it exists at the time it is approved. Vice Chair Van Leuven asked why the area was adjusted out of the floodplain. Mr. Theis responded that the change was made after new mapping and flood data was analyzed.

Commissioner Osborne inquired whether Brookfield Residential will be taking any further steps to prevent any flooding in the area. She noted that some homes in Gold Canyon were flooded even though they were told they were out of the floodplain. Mr. Theis said Phase 1 and future phases will be built according to requirements to ensure they will not be affected by flooding.

Commissioner Amos asked whether infill will be part of the remedy. Mr. Theis explained that the remedy was to remap and remove the property from the floodplain without having to move any dirt on Phase 1. Commissioner Amos inquired whether the Durango Regional Conveyance Channel is still expected to traverse the property. Mr. Theis stated that accommodations for it have been made through the southern portion of the Lakin property should the DRCC want to pursue that option. Commissioner Amos inquired whether the smaller lot sizes are driven by demand. Mr. Theis responded that Brookfield has done extensive research in the area and has developed the lot sizes based on current submarket information.

Commissioner Osborne expressed skepticism that the land is now truly out of the floodplain. Mr. Theis explained that the floodplain analysis used rainfall projections from the National Oceanic and Atmospheric Administration (NOAA), new one-foot contour elevations derived from aerial topography and data regarding the amount of water that flows through the Gila, Agua Fria, and Salt Rivers. The conclusions were thoroughly reviewed and approved by the three aforementioned agencies.

Commissioner Amos said she was an employee of the Flood Control District for 17 and a half years and it is not unusual for new technology and new techniques to adjust floodplains. It happens all the time, and sometimes can result in land being added to floodplains as well.

Vice Chair Van Leuven opened the public hearing. Upon acknowledging no requests to speak, he closed the public hearing.

Vice Chair Van Leuven invited a motion. Commissioner Amos moved that the Planning Commission accept the findings and recommend approval of Application PL-18-0098, approval of the Lakin Property Phase 1 Preliminary Plat subdividing 138.57 gross acres of land into 461 single-family residential lots and 42 open space tracts, subject to five conditions of approval. Commissioner Thompson seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Vice Chair	Aye
Lisa Amos	Aye
Lisa Osborne	Nay
Christopher Thompson	Aye
Troy Timmons	Aye

The motion was approved by a 4 to 1 vote.

VI. COMMISSION ANNOUNCEMENTS

VII. PLANNING DIVISION REPORT

Ms. Novak noted that the next meeting is scheduled for September 20, 2018.

VIII. CALENDAR

a. Next meeting is September 20, 2018

IX. ADJOURNMENT

Vice Chair Van Leuven entertained a motion to adjourn the regular meeting. Commissioner Amos moved to adjourn. Commissioner Thompson seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Vice Chair	Aye
Lisa Amos	Aye
Lisa Osborne	Aye
Christopher Thompson	Aye
Troy Timmons	Aye

The motion was approved unanimously.

With no further business, the meeting concluded at approximately 6:24 P.M.

FOR SPECIAL ACCOMMODATIONS

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Staff Signature

Date

Planning Commission Date: September 20, 2018

PREPARED BY: Byron Easton, Senior Planner (623) 333-4020
REVIEWED BY: Jodie Novak, Planning Manager (623) 333-4015
RECOMMENDATION: **APPROVAL SUBJECT TO CONDITIONS**

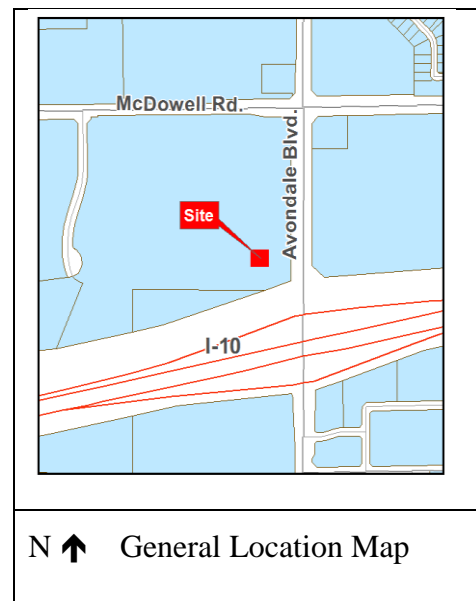
SUBJECT: Hold a public hearing for case PL-18-0057 PHO Mentira, a request for a Conditional Use Permit for a 55-foot tall monopalm wireless service facility with associated ground equipment

LEASE AREA: 352 Square Feet of a 49.79-acre parcel

LOCATION: Northwest corner of Avondale Boulevard and the I-10 Freeway (Exhibits A and B)

APPLICANT: Nancy Smith, In Command Communications (480) 205-7142

OWNER: Stotz Farms, LLC., Rob Rosztoczy, (623) 936-2081



BACKGROUND:

Nancy Smith, In Command Communications, on behalf of Verizon Wireless, is requesting approval of a Conditional Use Permit (CUP) for a wireless service facility located on a 49.79-acre parcel owned by Stotz Farms LLC at the northwest corner of Avondale Boulevard and the I-10 Freeway.

DETAILS OF REQUEST:

The applicant has submitted a request for the installation of a new 55' monopalm and associated ground equipment within a 16' x 22' enclosed area bounded by a 10' high wall.

The request for a CUP is in conformance with the Avondale Zoning Ordinance, which requires approval of a Conditional Use Permit for any Freestanding Wireless Facilities thirty-five (35) feet or greater in height. The applicant will not be able to obtain Site Plan approval until approval of the CUP.

PUBLIC INPUT:

The Applicant conducted a neighborhood meeting to discuss the proposed wireless facility on Monday July 23, 2018 in the Mojave Room at Avondale City Hall. The neighborhood meeting was advertised in the Southwest Valley Republic and a notification sign was erected on the subject property. Additionally, property owners within 1,000 feet of the subject site were notified of the meeting by postcards sent by City Staff. There were no members of the public in attendance at the meeting.

As of the writing of this report, Staff has received no additional emails, letters, or phone calls concerning this project.

ANALYSIS:

The Avondale Zoning Ordinance requires approval of a Conditional Use Permit for any Freestanding Wireless Facilities thirty-five (35) feet or greater in height. In order to grant a Conditional Use Permit, Section 108.B of the Zoning Ordinance lists five findings that must be met. The burden of proof is upon the applicant. The findings and analysis are as follows:

- 1. That the proposed use (a) is consistent with the land use designation set forth in the general plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the General Plan and (c) will be consistent with the desired character for the surrounding area.**
 - (a) The proposed use is consistent with any General Plan designation and is an allowed use in all designated areas within the City. The development of this site will not affect the current land designation and all appropriate measures will be taken to conceal and disguise the proposed cell site.
 - (b) The proposed use will further the City's general guidelines and objectives for development of the area as set forth in the General Plan. A wireless facility that uses alternative "stealth" design, such as the monopalm design, is in conformance with the Zoning Ordinance to minimize adverse impacts on the surrounding area.
 - (c) The proposed wireless facility will be consistent with the desired character for the surrounding area and is proposed as a monopalm structure to blend with the existing area characteristics and landscaping. There will be little to no change/effect on the surrounding area with this proposed design.
- 2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.**
 - (a) The proposed use will be compatible with other adjacent and nearby land uses as the construction of the monopalm will not interfere with the property's AG (Agricultural) zoning and farming. Additionally, this location was carefully selected to limit the impact on the site's existing farming and irrigation.
 - (b) The proposed use will be located in an empty field and will not be detrimental to persons residing or working in the area. The tower and associated equipment will meet the Radio Frequency offload objectives as well as the structural capacity needs to ensure there will be no detriment to the public. The proposed site will not generate excess noise as there will not be a generator. There will be no smoke, odors, dust, vibration or illumination.

3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.

The lease area of the site is 16' x 22', which will accommodate all the required associated equipment. The site has appropriate access for entry and exit including one designated parking space for the service provider which will be located within the site's easement.

4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

Primary access to the site is available from Avondale Blvd. The proposed use has a low amount of traffic generated which will not impact the adjacent streets which are designed to accommodate the negligible traffic.

5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

The wireless monopalm facility meets all of the development standards and requirements contained in the Avondale Zoning Ordinance and no additional conditions of approval are required to mitigate potential adverse effects.

RECOMMENDATION:

Staff recommends approval of the requested Conditional Use Permit for the following reasons:

- The proposal meets the five required findings for a CUP in Section 108 of the Zoning Ordinance.
- The proposed CUP conforms to the intent and requirements of the City of Avondale Zoning Ordinance.

REQUIRED ACTION:

Conduct a **public hearing** and determine if this request is in the best long-term interest of the community, meets the five required findings for a Conditional Use Permit, and is consistent with the objectives of the Zoning Ordinance.

PROPOSED MOTION:

I move that the Planning Commission accept the findings and recommend **APPROVAL** of application PL-18-0057 PHO Mentira, a request for a Conditional Use Permit for a wireless facility located on a 49.79-acre parcel owned by Stotz Farms LLC at the northwest corner of Avondale Boulevard and the I-10 Freeway, subject to the two staff recommended conditions of approval.

CONDITIONS OF APPROVAL:

1. The PHO Mentira wireless service facility shall conform to the project narrative and site plan dated August 28, 2018.
2. The Conditional Use Permit approval shall expire two (2) years from the approval date if a permit for construction of the tenant improvement is not obtained.

SUPPORTING DOCUMENTS ATTACHED:

Exhibit A: Aerial Photograph

Exhibit B: Zoning Vicinity Map

Exhibit C: PHO Mentira Narrative

Exhibit D: PHO Mentira Elevations

Exhibit E: Citizen Participation Report

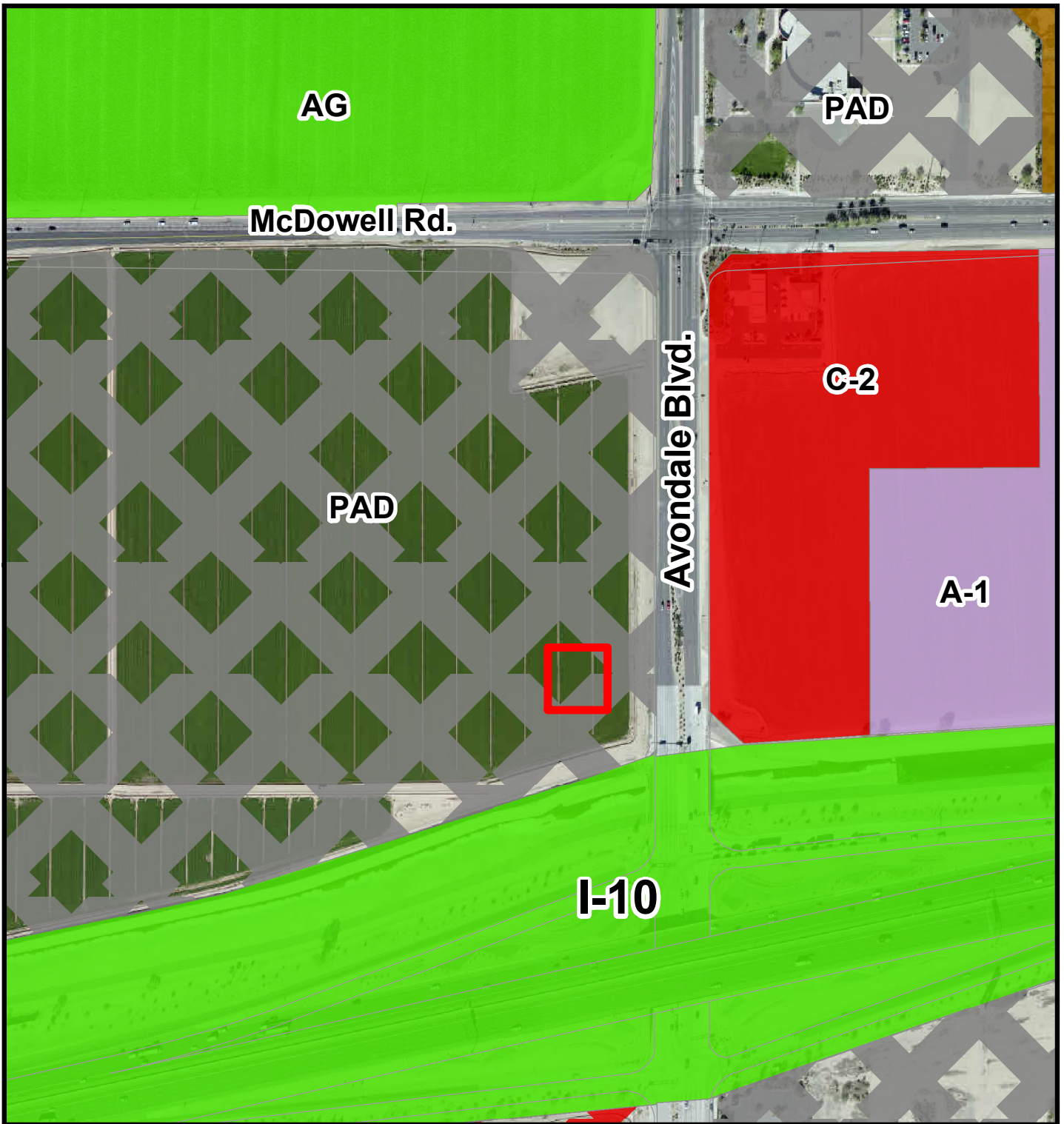


Aerial Photograph



 Subject Property





Aerial / Zoning Map



Subject Property



**Project Narrative for
Verizon Wireless – PHO Mentira
1312 N. Avondale Blvd.
Avondale, AZ 85392
APN: 500-01-005S**

The proposed site is located on a 49.79-acre parcel (2,168,775 sq. ft.) owned by Stotz Farms LLC. Verizon Wireless is proposing to install a new 55' monopalm with a 16' x 22' lease area enclosed within a 10' CMU Wall that will house the associated ground equipment. The CMU Wall will be painted an earth tone to blend it in to the property; which is currently all farm land (agricultural) and will be further disguised by the addition of dense landscaping around the perimeter of the wall. The purpose of the proposed changes is in response to changes in technology to Verizon's wireless services, and its commitment to providing better service throughout the area, to existing and potential customers. There is a drop in coverage and data capabilities in this area and this will service the surrounding areas and fill in the current gaps in coverage. The Verizon RF expectation at this site is to increase data and cellular services for the nearby neighborhoods as well as along Avondale Blvd and the I-10 corridor. This site primarily serves as capacity offload to existing sectors which are currently overloaded and will be exhausted in the near future as well as to increase E911 capabilities.

This parcel of property is Zoned PAD with the property to the north being zoned AG. In order to be compliant with the zoning stipulations required when a PAD is adjacent to an AG, there is a 1:1 setback restriction from all property lines; the monopalm will meet the required setback to all property lines. The monopalm will be 65' to the top of fronds, which exceeds the administrative height restrictions set by the City of Avondale; thus, a requirement for a CUP.

The proposed use is consistent with the land use set forth in the General Plan, as the development of this site will not affect the current land designation and all appropriate measures will be taken to conceal/disguise the proposed cell site. The proposed site will be consistent with the desired character for the surrounding area inclusive of the similarly Zoned parcels (PAD, AG and CC) and is proposed as a Monopalm structure to blend the site with the existing characteristics of the surrounding area and landscaping, inclusive of an existing Monopalm structure to the Southwest. There will be little to no change/effect on the surrounding area with this proposed design.

The proposed use will be compatible with other adjacent and nearby land uses as the construction of the Monopalm and compound will not interfere with the current land use (Agricultural). Additionally, this location was carefully selected to limit the amount of farmable land and irrigation displacement as well as to ensure the least amount of intrusion on the property's future expansion capabilities. The proposed wireless site placement will not hinder the property's future development and is being planned to ensure it will blend well with the property owner's future development. This will be accomplished by ensuring the location of the Monopalm will correlate with either a landscaping or parking lot area of the property owner's development. The construction of the proposed wireless communications facility, it's antennas,

and associated equipment will meet the RF offload objectives as well as the structural capacity needs to ensure there will be no detriment to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent properties, to the neighborhood, or to the public in general. The proposed site will not generate an excess of noise (there will be no generator), smoke (no gasses or combustibles will be produced or brought on site), odors, dust (all appropriate and applicable dust control measures will be taken to ensure compliance with Maricopa County Dust Control and City of Avondale standards), vibration (minimal with AC units), or illumination (there will be no lighting installed on the tower or compound unless required by the FCC). The proposed wireless communication tower and antennas will be in compliance with all Federal Communications Commission (FCC) regulations, inclusive of those protecting the public health and those protecting historic districts.

The proposed site is adequate in size and shape to accommodate the proposed use, will support safe on-site circulation, and will meet all required development standards set forth in the City of Avondale Zoning Ordinance, including, but not limited to Section 108.B.3 regarding setbacks, parking, screening and landscaping. The lease area of the site is 16' x 22', which will accommodate all the required associated equipment as well as that of any future co-location(s); this equipment is to be concealed within a 10' CMU wall enclosure which will be designed to blend into existing surroundings as well as with the property owner's future property development. One undesignated parking spot will be provided within the easement of this site. This site meets all set-backs as required by the City of Avondale Zoning Ordinance. To be in compliance with the City of Avondale Zoning Ordinance sections 108.B.3, 7 and 11, dense landscaping and foliage will be installed along the perimeter of the proposed 10' CMU walled compound to help disguise and blend it into the surrounding area. This landscaping will be in compliance with CPTED standards and is being designed to provide mitigating measures with regards to sight visibility from the surrounding area as well as to deter vandalization of the site.

The site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use. The access will not be paved as this is an agricultural property and asphalt/cement would not be able to withstand the weight of the construction equipment required to construct the site nor would it withstand the weight of the machinery utilized to farm the land. Every effort to minimize dust pollution will be made, including, but not limited to the addition of gravel or use of a water truck. Aside from regular farming activities the access route will only be utilized once a month, at the time of the maintenance technicians visit. The point of access to the property is located at the southeastern side of the lot, just west of Avondale Blvd. This portion of the property was selected to be utilized for access in an effort to prevent traffic congestion during construction as well as because it will provide direct access to the site, reducing and mitigating the amount of dust kicked up during use.

Adequate conditions have been incorporated into the project to ensure that any potential adverse effects will be mitigated.

Explanation for 708(B)(1)(b)(1): Verizon was unable to use any of the following candidates:

- Co-locating on existing ADOT verticality's were not possible due to lack of usable and safe access, per ADOT ROW representative, Tim Mahoney.
- A co-location on the power poles south of the I-10 was not possible as the existing structure heights were not tall enough (or could not be extended enough) to accommodate the required 65' height needed to meet "Line of Sight" and coverage offload objectives without being blocked by the proposed/future building developments of the properties in the area.
- A co-location on the power poles running along McDowell Rd was not possible as the existing structures were located too far outside of the RF Engineer's Search Ring, and as such, these structures would not support the site objectives of offloading the existing Verizon sites or combating the service capacity issues (see Search Ring on Pg. 3). Additionally, the height of these structures (even with an extension), would not meet the "Line of Sight," needed for the site to work as they are not tall enough to clear the I-10.
- The vacant property located southwest of the Freeway was not feasible due to the property owner's proposed future building developments, which includes multiple five-story & eight-story buildings that would block the site's signal, rendering those antenna azimuths useless as a result.
- Co-locating on the existing Verizon Wireless site located on parcel 500-01-005P was not viable as this is one of the sites Verizon is trying to offload to meet coverage objectives and adding additional antennas to this site would not allow Verizon to meet these objectives or combat the service capacity issues.
- Alternative structures were duly considered at every location before the proposed location was chosen. For example, flagpole structures are quickly becoming obsolete in the wireless industry as the cannisters that house the antennas no longer provide enough room for the new antennas and RRH equipment needed to meet new industry capacity/offload needs. As for the concealment of a PWSF within Public Art, Sculptures, or Monuments, this has proven to be unviable due to both cost and overall height limitations posed by using these types of structures. Billboard and Monument PWSF's do not allow for the appropriate azimuths to sufficiently offload the existing sites as they limit the direction and tilt of the antennas, which greatly affects the "Line of Sight". These structures would also require more ground space to accommodate the size of the structures and the associated ground equipment, which in the case of the proposed site location (as well as some of the other vacant properties), would greatly impede the property owner's future development and expansion plans as a result.

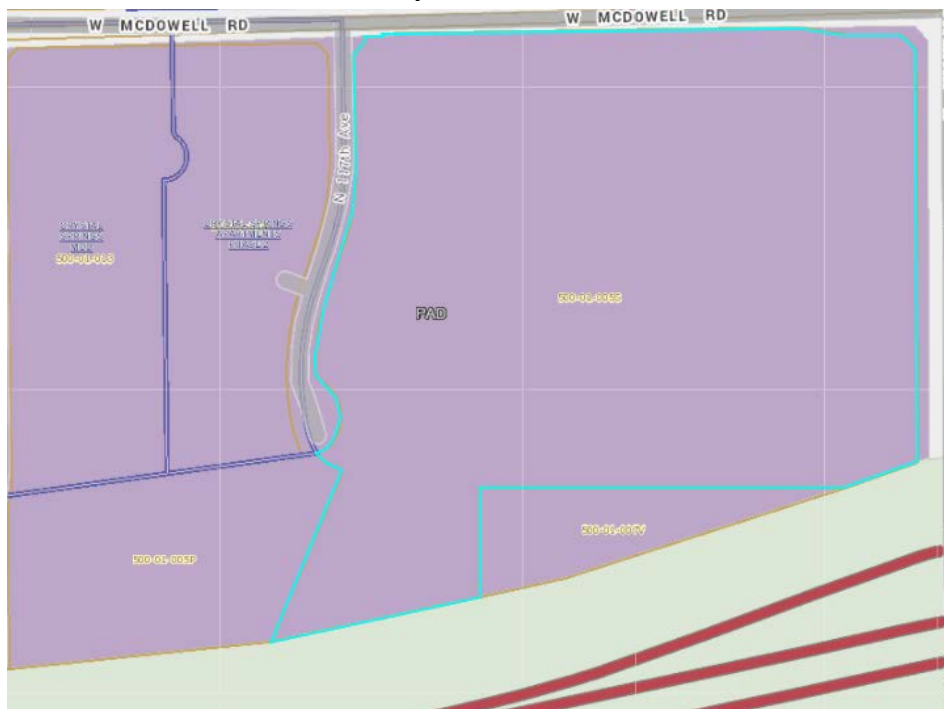
The proposed site will meet the following criteria per the City of Avondale Zoning Ordinance Codes per Section 708 A, B, & C:

- All appropriate measures will be taken to conceal or disguise the tower and antenna from external view
 1. Tower will be disguised as a monopalm that will be:
 - a. Anatomically correct
 - b. Will have a minimum of 55 palm fronds; the trimmed leaf cluster shall be mounted directly below the palm fronds and shall be painted to blend with the pole structure.
 - c. Pole will be constructed of steel and concealed in faux clad bark from the base of the pole and continued to the height of the first palm frond attachment.
 - d. Antennas will be painted to match and concealed in their entirety by fronds; the balance of the pole structure and attachments will be painted to match the palm fronds.
 - e. No climbing pegs are permitted, nor installed on this pole structure.
 2. The Coaxial cables will be concealed within the pole
 3. There will be one parking space designated directly beside the proposed site.
 4. The access will have quarter minus gravel added to minimize dust in getting to the site. This property is agricultural, so paving the road is not plausible as the tractor that uses this access would cause damage.
 5. Warning signs against trespassing and climbing support structures will be posted at site gate; 10' CMU wall is proposed to keep possible intruders out. No landscaping is proposed because the existing use is agricultural; however, if the City requires any be added, we can make the changes as necessary.
 6. Pole will not exceed 65' in height from natural grade
 7. Installation of the monopalm shall be done in a manner that minimizes the removal of mature vegetation.
 8. Since the proposed Monopalm exceeds 35', this site is subject to a Conditional Use Permit approval.
- There will be no interference from wireless communication transmitter, receptor, or other facility with police, fire, and emergency public safety communications.
- The proposed wireless communication tower and antennas shall be in compliance with all Federal Communications Commission (FCC) regulations, including those protecting the public health and those protecting historic districts.
- The Verizon Wireless site is equipped with the E-911 emergency response system
- If the tower ceased operations it would be removed within six-months of the operations termination in order to satisfy Section 708 A.4 of the zoning ordinance.

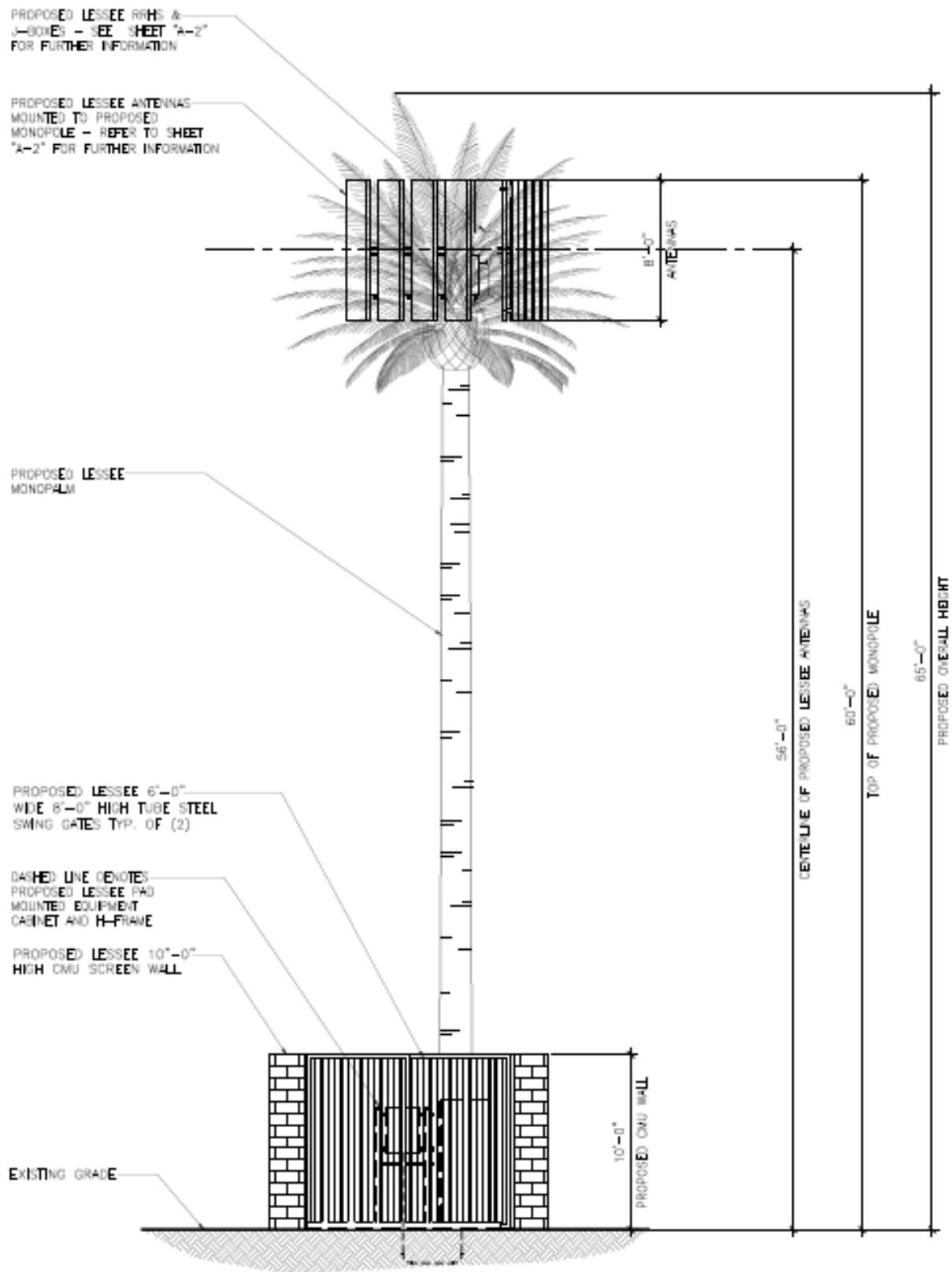
Verizon Wireless RF Search Ring



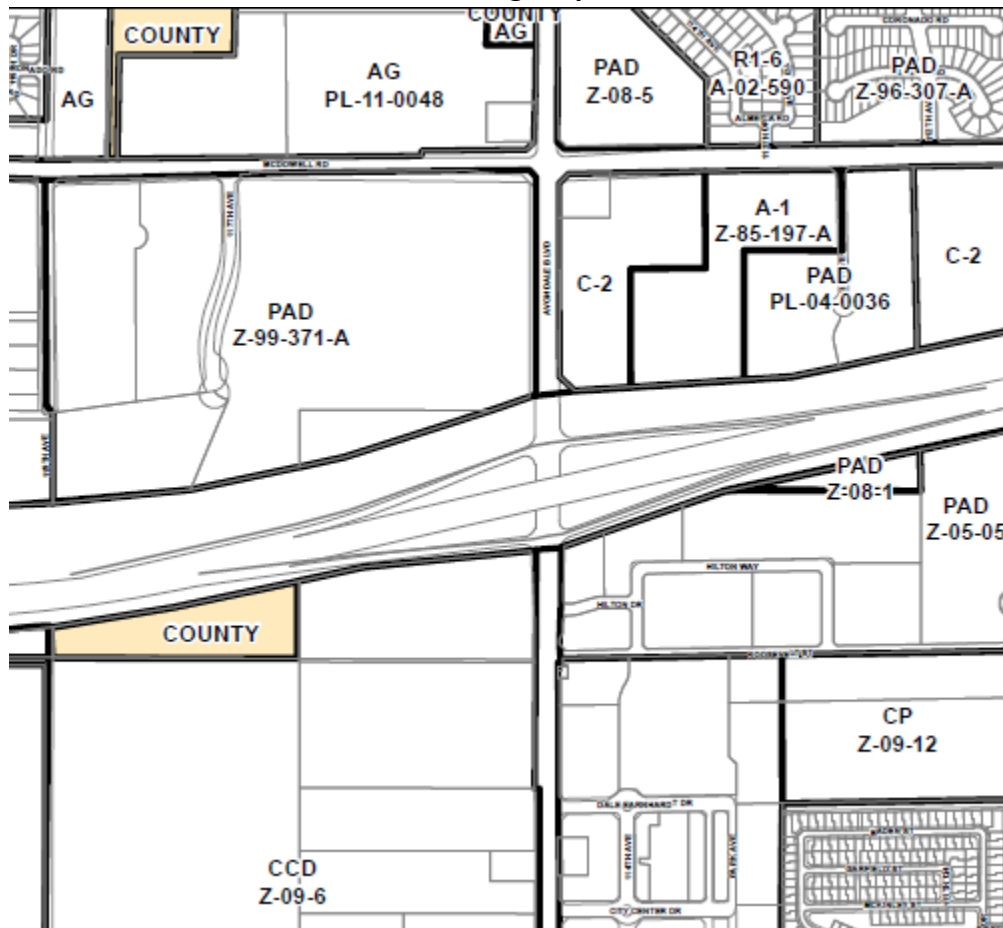
Plot Map for 500-01-005S



PROPOSED NEW Verizon Wireless Collocated TEP Pole



Zoning Map



Tax Summary

Tax Summary 500-01-005S 6			
Current Mailing Name & Address STOTZ FARMS INC 11111 W MCDOWELL RD AVONDALE, AZ 85392-5000		Legal Description Section/Lot 1 Township/Block 1N Range/Tract 1W GLO LOTS 1 & 2 & SW4 NE4 SEC 1 EX COM N4 COR SD	
2016 Tax Due			
Assessed Tax:	\$1,169.14	Tax Paid:	\$1,169.14
		Total Due:	\$0.00
View 2016 Tax Details Create Stub			
View Additional Tax Years			
Total Amount Due			
Status:	Currently up-to-date		
Remaining Tax Amount Due:	\$0.00		
Total amount due does not reflect any pending payments. Amount may change based on activity to this parcel. NOTE: Your property may be subject to additional tax liens listed under previous parcel numbers.			

In addition to the requirements listed above, the following apply:

- A. The addition of Verizon Wireless antennas and associated equipment will meet the RF offload objectives as well as the structural capacity needs to ensure there will be no detriment to the health, safety, or general welfare of persons living or working in the vicinity, to adjacent properties, to the neighborhood, or to the public in general;
- B. The proposed modification conforms to the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan officially adopted by City Council;
- C. The proposed modifications conform with the conditions, requirements, or standards prescribed by the Development Code and any other applicable local, State, or Federal requirements; and,
- D. The proposed modifications, as conditioned, would not unreasonably interfere with the use and enjoyment of the property or any nearby properties.

Please let me know if you have any questions or need any additional information.

Thank you,

Nancy Smith

Contractor for Young Design Corp



ARCHITECTURE - ENGINEERING

P.O. Box 737

Queen Creek, AZ 85142

C 480.205.7142 F 480.383.6014

nsmith@wingspanwireless.com

Exhibit D

126 W. GEMINI DR., TEMPE, AZ. 85283

INTERNAL REVIEW	
CONSTRUCTION SIGNATURE	DATE
RF SIGNATURE	DATE
REAL ESTATE SIGNATURE	DATE
MICROWAVE SIGNATURE	DATE



3100 N. 3rd AVE., STE. 100
PHOENIX, AZ 85013
PHONE: (480) 204-1412

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PROJECT NUMBER	DRAWN BY	CHKD BY
16108	JP	BK

REVISIONS		
△	05.30.17	ISSUE TO CLIENT
△	07.17.17	ISSUE FOR SUBMITTAL
△	09.07.17	CLIENT COMMENTS
△	12.10.17	CITY COMMENTS
△	02.06.18	CLIENT COMMENTS
△	04.10.18	CITY COMMENTS
△	07.27.18	CITY COMMENTS

SITE NAME

PHO MENTIRA

SITE ADDRESS

NW CORNER OF AVONDALE BLVD.
& THE I-10
AVONDALE, AZ 85323
(CITY OF AVONDALE)

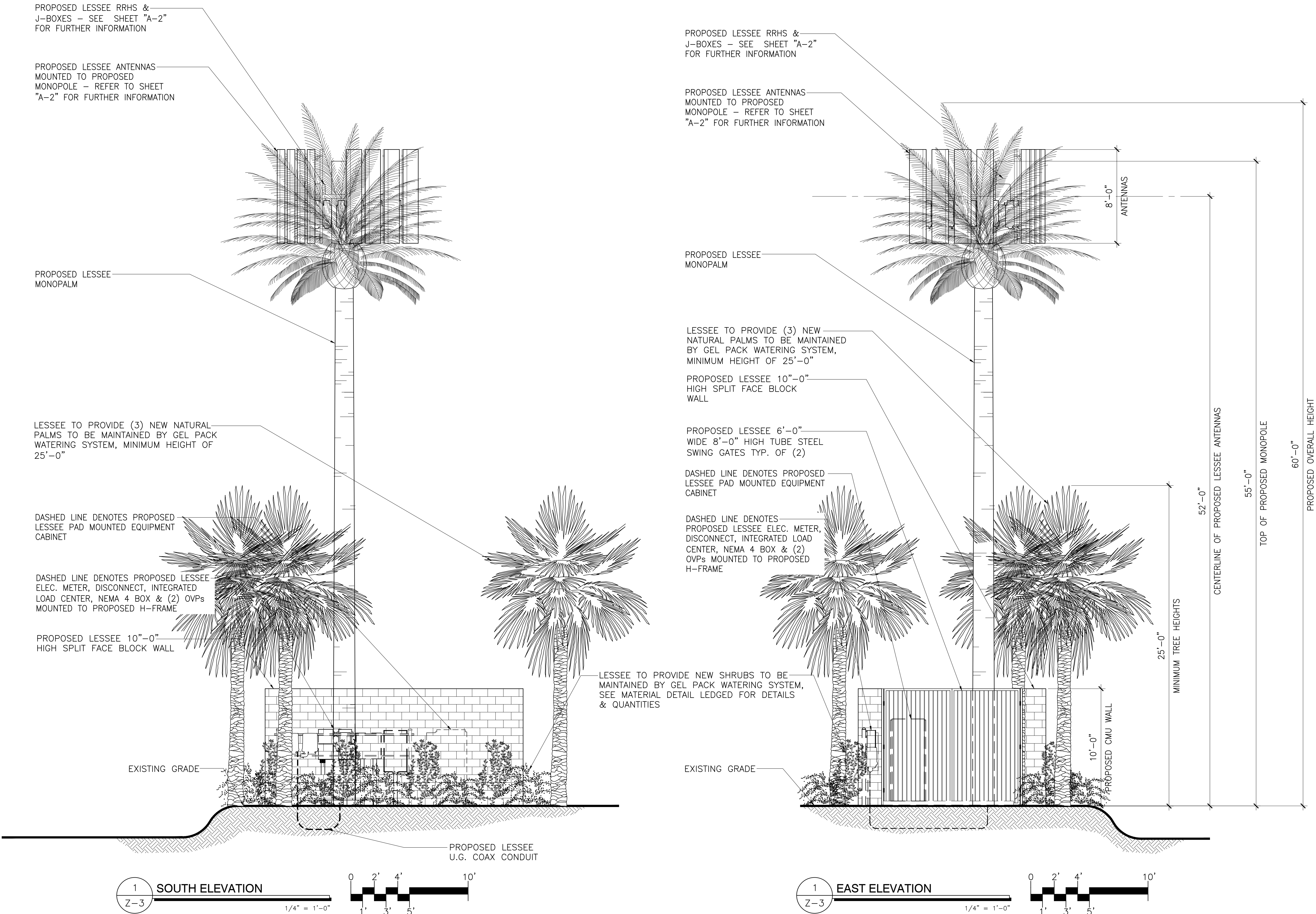
SHEET TITLE

PROJECT
ELEVATIONS

SHEET NUMBER

Z-3

NOTE:
PROPOSED MONOPALM TO HAVE MINIMUM 72 PALM
FRONDS RANGING FROM 7'-0" TO 10'-0" IN LENGTH.
LESSEE TO PROVIDE "PALM SOCK" ON EACH ANTENNA.



PHO Mentira – Wireless Communications Facility

Meeting Minutes

July 23, 2018

Present:

Verizon Representatives: Nancy Smith, Stephanie Oswald
City of Avondale Representative: Byron Easton – Senior Planner
Residents: N/A

Next meeting:

N/A

I. Arrival & Invite info

Arrived at 5:45 p.m. and waited for residents or concerned citizens to show up. Letters had been sent to all the surrounding properties/residents within 300' of the property boundaries by the City of Avondale.

II. Discussion

One person was in attendance of the meeting, City of Avondale Senior Planner, Byron Easton. As we waited for residents and/or concerned citizens and council members to arrive, Nancy and Byron discussed the proposed projects access issues and the requirements/changes that needed to be completed and submitted back to Byron before the public hearing.

In the entire duration of the meeting, no residents or council members showed up with the exception of the Byron. The meeting concluded at 6:25 p.m.

III. Departure

We departed at 6:30 p.m.

Planning Commission Date: September 20, 2018

PREPARED BY: Byron Easton, Senior Planner (623) 333-4020
REVIEWED BY: Jodie Novak, Planning Manager (623) 333-4015
RECOMMENDATION: **APPROVAL SUBJECT TO CONDITIONS**

SUBJECT: Hold a public hearing for case PL-18-0101 Avondale Recycling, a request for a Conditional Use Permit for a recycling facility

PARCEL AREA: 1.5 acres

LOCATION: Southwest Corner of Eliseo C. Felix Jr. Way and Brinker Dr. (Exhibits A and B)

APPLICANT: Abiud Fuentes, Avondale Recycling, (623) 925-9904

OWNER: Leonel Fuentes, Avondale Recycling, (623) 925-9904



N ↑ General Location Map

BACKGROUND:

Abiud Fuentes, with Avondale Recycling, is requesting approval of a Conditional Use Permit (CUP) for a recycling facility with metals collecting and crushing on property approximately 1.5 acres located at 940 E. Brinker Dr.; the southwest corner of Eliseo C. Felix Jr. Way and Brinker Dr. The site is zoned A-1 (General Industrial) and is currently vacant land. This business is related to an existing recycling business across the street, which received a CUP in August 2007.

DETAILS OF REQUEST:

The applicant will be submitting a Site Plan/Design Review Application upon approval of the CUP to operate the proposed recycling facility. The property's A-1, zoning requires approval of a CUP for a recycling facility, metals collecting and crushing. The proposed facility will consist of temporary scrap metal storage that will be transferred to another facility. It is anticipated that the scrap metal will be temporarily stored on-site in containers until maximum capacity is met, which is estimated to be a maximum of two days. Once the capacity of the containers is reached, the metal scrap will be transferred to another facility. There are no proposed buildings on the site.

The hours of operation will be from 8am to 5pm, Monday through Saturday. The request is in conformance with the Avondale Zoning Ordinance. The Site Plan/Design Review Application cannot be approved until approval of a CUP is acquired.

PUBLIC INPUT:

The Applicant conducted a neighborhood meeting to discuss the proposed recycling facility on Wednesday, August 30, 2018 in the Mojave Room at Avondale City Hall. The neighborhood meeting was advertised in the Southwest Valley Republic and a notification sign was erected on the subject property. Additionally, property owners within 1,000 feet of the subject site were notified of the meeting by postcards sent by City Staff. There were two members of the public in attendance at the meeting. The attendees were in support of the request.

Postcards notifying nearby property owners of the Planning Commission meeting were mailed on September 4, 2018. Additionally, the sign was updated to include the time and date of the meeting on August 13, 2018. Lastly, a notice of the Planning Commission hearing was published in the Southwest Valley Republic on September 5, 2018. To date, staff has received no additional correspondence with regards to these applications via phone, letter, or email.

The details of the request were posted on the City's website under the social media section known as "aVOICE". The aVOICE records indicate that no individuals accessed the proposed development through the social media site as of the writing of this report. Any future comments posted will be incorporated into the Planning Commission presentation.

ANALYSIS:

The A-1 zoning district requires approval of a CUP for a recycling facility, metals collecting and crushing. In order to grant a CUP, Section 108.B of the Zoning Ordinance lists five findings that must be met. The burden of proof is upon the applicant. The findings and analysis are as follows:

1. That the proposed use (a) is consistent with the land use designation set forth in the General Plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the General Plan and (c) will be consistent with the desired character for the surrounding area.

- (a) The proposed use is consistent with the property's General Plan Land Use Map designation of Industrial which is intended to provide opportunities for heavy manufacturing and other related industrial uses on properties where these uses will have minimal conflict with adjacent land uses. The subject property is ideal for the proposed use, as it is situated in an area of properties zoned for heavy industrial use and does not directly abut any residential, office, or retail commercial type uses.
- (b) The proposed use will be screened by a decorative 8' wall on all four sides of the property. Where the site abuts public streets, the decorative wall will be located at the back of a 30' landscape buffer that will include densely planted trees and shrubs. Working in combination, the decorative wall and landscaping will form a screen that will both enhance the aesthetics of the site and reduce any noise impacts on surrounding properties.
- (c) The Eliseo C. Felix Jr. Way corridor is the City's most prominent location for heavy industrial uses. The proposed use, which will occur within a walled area and screened from all adjacent properties and the right-of-way, is consistent with the existing character of development in the area and is best situated in this corridor rather than another, more visible or prominent location elsewhere in the City.

2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.

- (a) The proposed use is compatible with existing and planned businesses in the surrounding area, which include the existing Avondale Recycling Center facility to the north, auto body repair shops with vehicle storage yards and automobile tow yards to the south and west, and a landscape contractor yard to the east. The proposed use will not generate noise, odor, or light impacts on surrounding properties beyond what is anticipated in heavy industrial zones.
- (b) The proposed storage yard will be screened and buffered from adjacent streets and will not be detrimental to the neighborhood in which the facility is proposed. All operations will occur within the walled compound, out of view from surrounding properties and the public right-of-way. Furthermore, no vehicle crushing or other such activities that generate significant noise will occur on the site.

3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.

The proposed site layout (Exhibit D) accommodates the proposed recycling facility which is located within an enclosed yard with adequate screening and buffering from surrounding streets. The proposed site design provides for adequate and safe on-site circulation and meets all required development standards of the A-1 zoning district.

4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

The proposed use will generate a minimal amount of traffic which will access the facility via a gated driveway entrance to Brinker Drive. The existing street system in the surrounding area is adequate to support the proposed use.

5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

Conformance to the Project Narrative (Exhibit C) will ensure that the use will not result in any adverse impacts to the surrounding area.

RECOMMENDATION:

Staff recommends approval of the requested Conditional Use Permit for the following reasons:

- The proposal meets the five required findings for approval of a CUP found in Section 108 of the Zoning Ordinance.
- The proposed CUP conforms to the intent and requirements of the Avondale Zoning Ordinance.

REQUIRED ACTION:

Conduct a **public hearing** and determine if this request is in the best long-term interest of the community, meets the five required findings for a Conditional Use Permit, and is consistent with the objectives of the Zoning Ordinance.

PROPOSED MOTION:

I move that the Planning Commission accept the findings and recommend **APPROVAL** of application PL-18-0101, a request for a Conditional Use Permit for a recycling facility located at 940 E. Brinker Dr., subject to the two (2) staff recommended conditions of approval.

CONDITIONS OF APPROVAL:

1. Development and use of the site shall generally conform to the Project Narrative date stamped October 19, 2017, and the Conceptual Site Plan date stamped December 21, 2017, both of which are attached to (Exhibits E and F) the staff report that accompanies this Conditional Use Permit request.
2. The Conditional Use Permit approval shall expire two (2) years from the approval date if the use has not commenced.

SUPPORTING DOCUMENTS ATTACHED:

Exhibit A: Aerial Photograph
Exhibit B: Zoning Vicinity Map
Exhibit C: Avondale Recycling Narrative
Exhibit D: Avondale Recycling Site Plan
Exhibit E: Citizen Participation Report

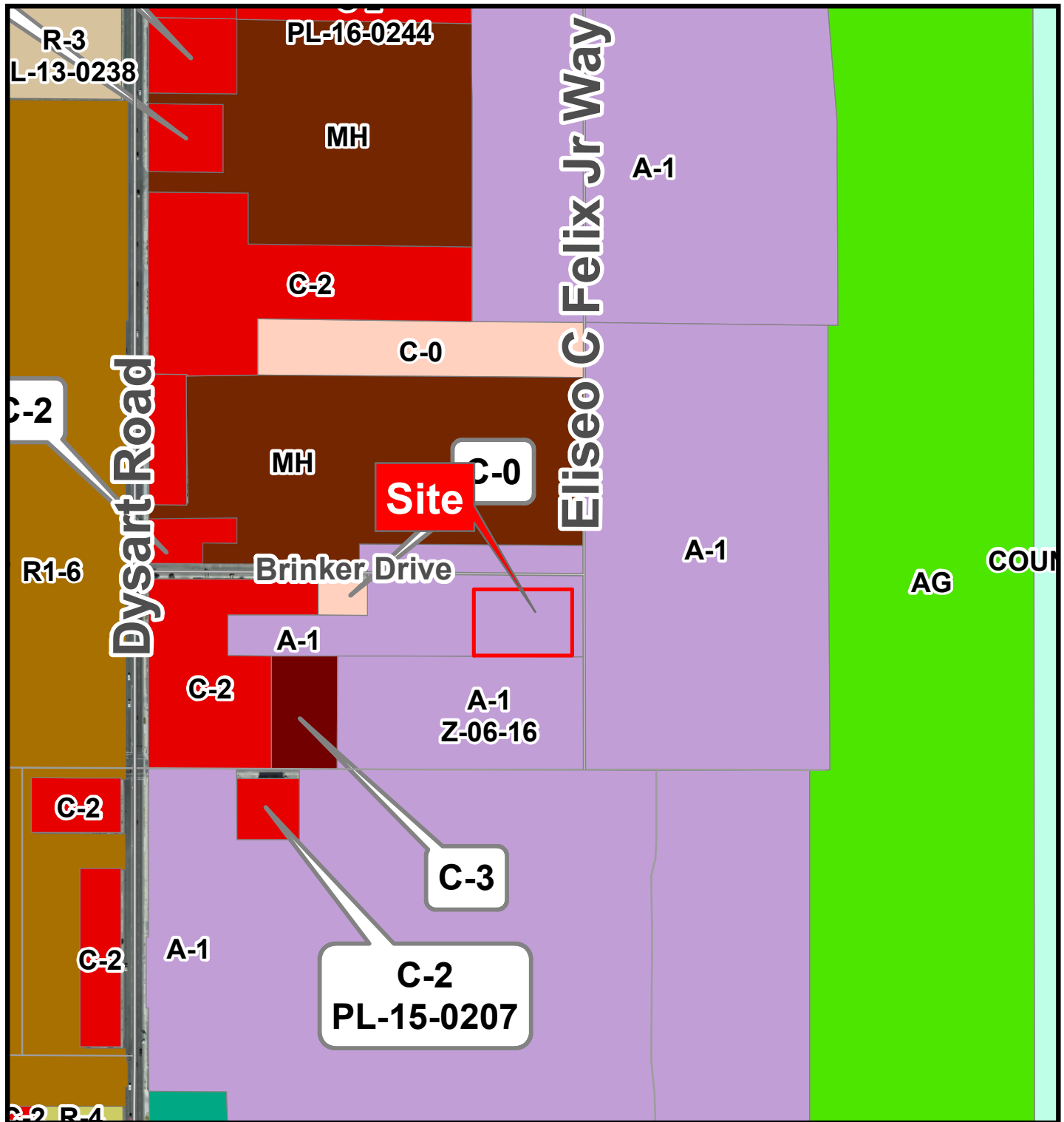


Aerial Photograph



 Subject Property





Aerial / Zoning Map



Subject Property



March 27, 2018

City of Avondale

Development and Engineering Services Department

11465 W. Civic Center Drive, Suite #110

Avondale, Arizona 85323

Re: Avondale Recycling - Proposed New Storage Yard
Project Narrative

The Avondale Recycling Center is proposing to expand their operations located at 940 E Brinker Dr, in Avondale by the addition of a new temporary storage yard south of the current facility. The proposed expansion consists of temporary scrap metal storage that will be transferred to another facility. It is anticipated trucks will arrive to the site and access thru the proposed concrete driveway on Brinker Drive; truck vehicle weight will be taken at a vehicle weight station permanently located onsite prior to disposal of scrap metal. Scrap metal will be disposed into 8' tall containers located onsite; once the vehicles dispose the scrap metal, the vehicle's weight would be re-taken, and vehicles will exit the site via the same access driveway on Brinker Drive. It is anticipated that the scrap metal will be temporary stored onsite in the containers until they reached their capacity, which is estimated to be a maximum of two days. Once the capacity of the containers is reached, the metal scrap will be transferred to another facility. The hours of operations will be from 8am to 5pm Monday thru Saturday.

There are no vehicle crushers proposed onsite nor crushing activities occurring within this proposed expansion. No hazardous or flammable materials are anticipated to be stored onsite.

The site development improvements consist of an 8' high perimeter CMU wall around the perimeter of the site, a proposed concrete driveway entrance off Brinker Drive and a proposed concrete slab for the vehicle weight station and storage container area. The remaining of the site will be left as undeveloped and it will be graveled for dust control. It is anticipated that the undeveloped portion of the site could potentially be used for future expansion. All vehicles will be driven within the proposed concrete areas only to avoid dust. There are no proposed buildings onsite.

The site perimeter wall will be designed to meet Zoning Ordinance section 1707.B and it will be setback 30' adjacent to the public roads (Brinker Drive and Eliseo Felix Jr. Way) to provide a 30' landscaped setback as per the A-1 district requirements. The landscape setback will be landscaped to meet the City of Avondale landscape requirements. The site will have a gated entrance at the proposed driveway with an approved fire department locking device and configuration.

Offsite road improvements consist of an addition of a 5' wide sidewalk along Brinker Drive and Eliseo Felix Jr Way, removal of two existing driveways/curb and gutter replacement and installation of a new driveway with adequate ADA accessibility along the proposed sidewalk.

The proposed use is consistent with the land use designation set forth in the General Plan and consistent with the desired character for the surrounding area. The proposed use is also consistent with the existing Avondale Recycling facility on the north site of Brinker Drive and it does not propose to detrimentally alter the existing neighborhood. The proposed site generally conforms with the A-1 (General Industrial) district.

If you require further clarification or information, please do not hesitate to contact the undersigned.

Respectfully,

Leonel Fuentes
Avondale Recycling

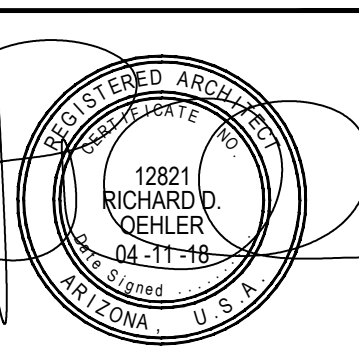


**METAL SCRAP YARD
NEW EXPANSION
"AVONDALE RECYCLING CENTER"**
APN : 522-22-003B
AVONDALE, AZ 85323

design: RDO
drawn: JO
check: JDO

revisions:
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34

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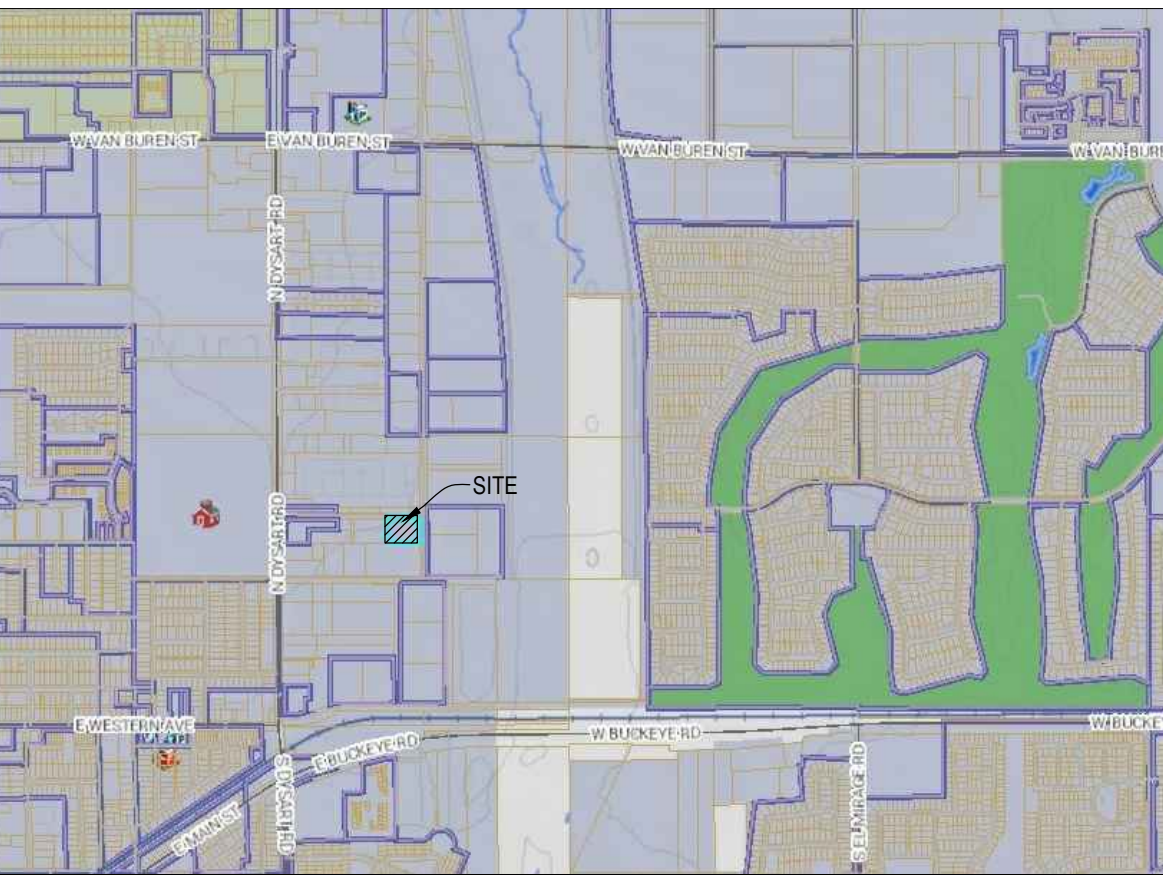


EXPIRES 12/31/18
date: 03/20/18

SHEET
SP100
of
PROJECT: A0020318



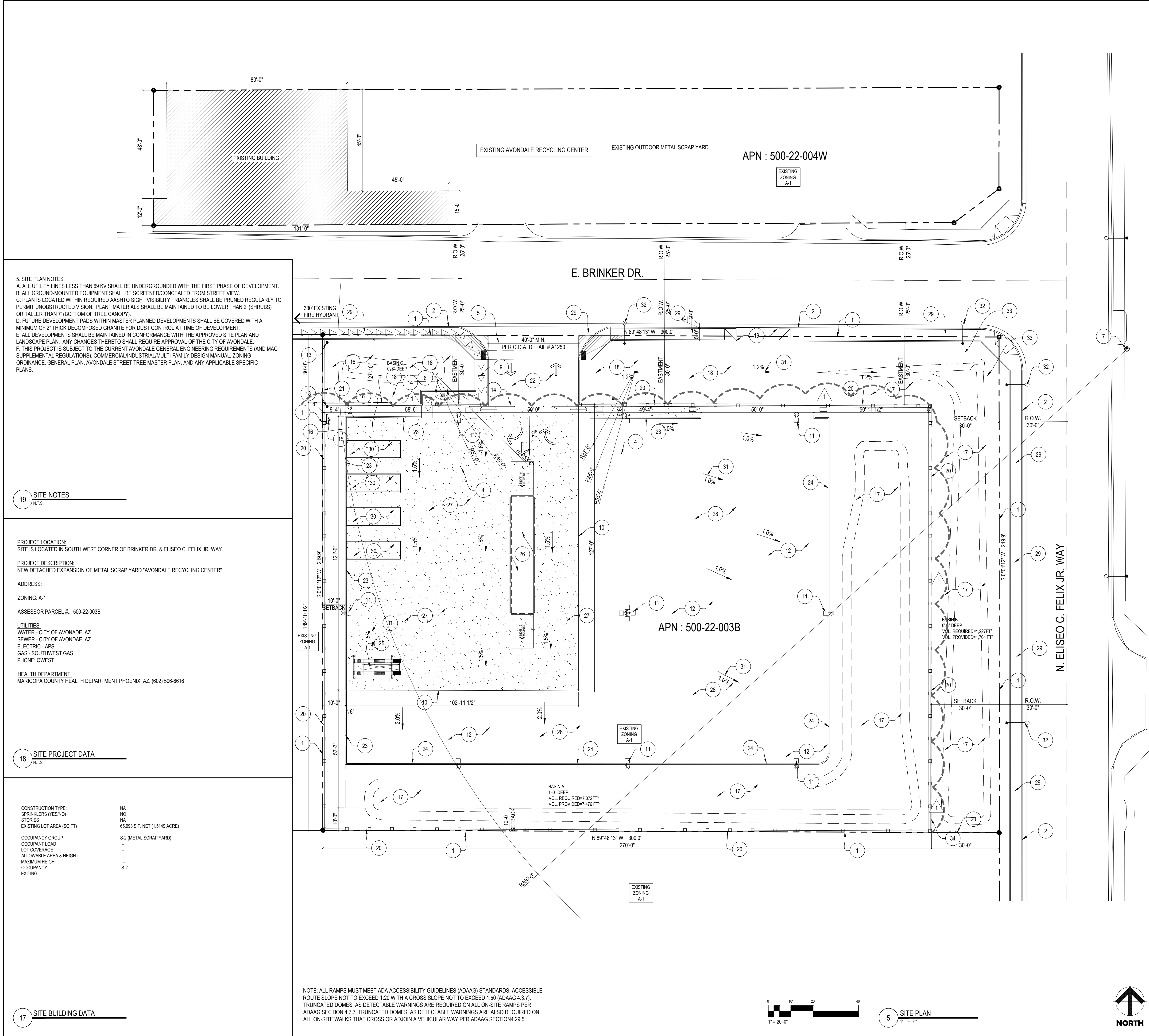
4 SITE PLAN
N.T.S.



3 VICINITY MAP
N.T.S.

- PROPERTY LINE
- EXISTING 6" VERTICAL CONCRETE CURB
- GRAVEL WITH BINDER FIRE ACCESS ROAD WITH A SOIL COMPACTION TEST REPORT TO BE ABLE TO WITHSTAND OF MIN. 75,000 POUNDS OF A LIVE LOAD - THE ROAD SHALL COMPLY WITH SECTION 503.7
- FIRE TURN RADIUS - 37' INSIDE, 45' CENTER, 53' OUTSIDE
- ACCESS 20'X10' VIEW TRIANGLES
- PROVIDE NEW 4" THK. & 5'-0" WIDE CONCRETE SIDEWALK
- EXISTING FIRE HYDRANT LOCATION
- ADA PARKING SPACE - SEE DETAIL IN SHEET SP125
- ADA ACCESSIBLE ROUTE
- EDGE OF CONCRETE FLOOR
- PROVIDE NEW SITE LIGHTING TO MEET DARK SKY CODE NO MORE THAN 25'-0" HEIGHT
- NEW OUTDOOR METAL SCRAP YARD
- PROVIDE NEW POWER POLE WITH NEW OVERHEAD LINES
- NEW METAL GATE TO BE OPEN DURING ALL BUSINESS HOURS PROVIDED WITH KNOX BOX
- SEE DETAILS IN SHEET SP125
- PROVIDE NEW WALL MOUNTED ELECTRICAL SES
- ACCESSIBLE SIGNAGE - SEE DETAIL IN SHEET SP125
- BASIN AREA - SEE CIVIL
- LANDSCAPE - SEE LANDSCAPE PLANS
- REMOVE EXISTING DRIVEWAY AND REPLACE WITH 6" VERTICAL CURB & GUTTER PER MAG. STD. DETAIL #220-1 (TYPE A)
- PROVIDE NEW 8'-0" HEIGHT CMU SITE FENCE WITH SPLIT FACE TO STREET OVER PROPERTY LINE - COLOR TO BE MATCH EXISTING BUSINESS - PROVIDE OPENINGS AT 20' INTERVALS ALONG WALL WHERE REQUIRED ONLY - SEE STRUCTURAL CALCULATION FOR MORE SPECIFICATIONS
- PROVIDE NEW 3'-0" HEIGHT CMU SITE FENCE WITH SPLIT FACE OVER PROPERTY LINE - COLOR TO BE MATCH EXISTING BUSINESS - ALL ALONG OF 30' - 0" FROM PROPERTY LINE
- REMOVED EXISTING DRIVEWAY AND RE-CONSTRUCT DRIVEWAY IN ACCORDANCE WITH CURRENT CITY OF AVONDALE STANDARDS AND WIDTHS SHOWN ON PLAN. DRIVEWAYS TO BE AS PER CITY OF AVONDALE STANDARD DETAIL # A1254. DRIVEWAYS TO ALLOW ADA ACCESSIBILITY ALONG THE SIDEWALK ROUTE.
- NEW 6" SINGLE CURB TYPE "A" PER MAG STD. DET. # 222
- NEW 6" CONCRETE CURB - PROVIDE OPENINGS AT 20' INTERVALS ALONG CURB WHERE REQUIRED ONLY
- PROVIDE NEW SUPER DUTY CAR LIFT PER OWNER REQUIREMENTS - INSTALL BY OTHERS
- PROVIDE NEW CARDINAL MODEL "4552 - PSC" MOTOR TRUCK SCALE, 45 TON, 4 SECTION, 52' 6" X 10', CONCRETE DECK SERIES TRUCK ENGINEERED FOR SCRAP YARDS & RECYCLING CENTERS PER OWNER REQUIREMENTS - INSTALL BY OTHERS
- PROVIDE NEW HEAVY DUTY TRAFFIC CONCRETE FLOOR
- PROVIDE 2" (D6) DECOMPOSED GRANITE OVER 6" COMPACTED BASE ROCK FOR DUST CONTROL
- PROVIDE 5'-0" WIDE CONCRETE SIDEWALK ALL ALONG OF THIS PROPERTY IN COMPLIANCE WITH MAG STANDARD DETAIL # 230 & C.O.A.
- PROVIDE 8'-0" WIDE x 24'-0" LONG x 9'-0" HEIGHT STEEL CONTAINERS ABOVE CONCRETE FLOOR
- DRAINAGE DIRECTION, TYP. - SEE CIVIL PLANS
- PROVIDE (4) NEW STREET LIGHTS ON BOTH STREETS PER GENERAL ENGINEERING REQUIREMENTS MANUAL CITY OF AVONDALE SECTION # 3.30. REQUIRED A MINIMUM FOOT-CANDLES 1.11 PER TABLE # 3-11, PLACED AT AVERAGE DISTANCE OF 150'-0" & 40'-0" HEIGHT PER TABLE # 3-12
- NEW 15'-0" RIGHT OF WAY AND 8' PAVE ALONG ELISEO FELIX JR. WAY AND BRINKER DRIVE TO BE DEDICATED THRU MINOR LAND DIVISION
- PROVIDE WALL OPENINGS AT BOTTOM OF WALL FOR DRAINAGE

1 SITE PLAN KEYNOTES



5. SITE PLAN NOTES
- ALL UTILITY LINES LESS THAN 69 KV SHALL BE UNDERGROUNDED WITH THE FIRST PHASE OF DEVELOPMENT.
 - ALL GROUND-MOUNTED EQUIPMENT SHALL BE SCREENED/CONCEALED FROM STREET VIEW.
 - PLANTS LOCATED WITHIN REQUIRED ASHTO SIGHT VISIBILITY TRIANGLES SHALL BE PRUNED REGULARLY TO PERMIT UNOBSTRUCTED VISION. PLANT MATERIALS SHALL BE MAINTAINED TO BE LOWER THAN 2' (SHRUBS) OR TALLER THAN 7' (BOTTOM OF TREE CANOPY).
 - FUTURE DEVELOPMENT PADS WITHIN MASTER PLANNED DEVELOPMENTS SHALL BE COVERED WITH A MINIMUM OF 2" THICK DECOMPOSED GRANITE FOR DUST CONTROL AT TIME OF DEVELOPMENT.
 - ALL DEVELOPMENTS SHALL BE MAINTAINED IN CONFORMANCE WITH THE APPROVED SITE PLAN AND LANDSCAPE PLAN. ANY CHANGES THERETO SHALL REQUIRE APPROVAL OF THE CITY OF AVONDALE.
 - THIS PROJECT IS SUBJECT TO THE CURRENT AVONDALE GENERAL ENGINEERING REQUIREMENTS (AND MAG SUPPLEMENTAL REGULATIONS), COMMERCIAL/INDUSTRIAL/MULTI-FAMILY DESIGN MANUAL, ZONING ORDINANCE, GENERAL PLAN, AVONDALE STREET TREE MASTER PLAN, AND ANY APPLICABLE SPECIFIC PLANS.

19 SITE NOTES
N.T.S.

PROJECT LOCATION:
SITE IS LOCATED IN SOUTH WEST CORNER OF BRINKER DR. & ELISEO C. FELIX JR. WAY

PROJECT DESCRIPTION:
NEW DETACHED EXPANSION OF METAL SCRAP YARD "AVONDALE RECYCLING CENTER"

ADDRESS:

ZONING: A-1

ASSESSOR PARCEL #: 500-22-003B

UTILITIES:
WATER - CITY OF AVONDALE, AZ.
SEWER - CITY OF AVONDALE, AZ.
ELECTRIC - APS
GAS - SOUTHWEST GAS
PHONE: QWEST

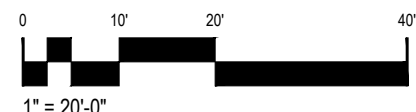
HEALTH DEPARTMENT:
MARICOPA COUNTY HEALTH DEPARTMENT PHOENIX, AZ. (602) 506-6616

18 SITE PROJECT DATA
N.T.S.

CONSTRUCTION TYPE:	NA
SPRINKLERS (YES/NO)	NO
STORIES	NA
EXISTING LOT AREA (SQ FT)	65,993 S.F. NET (1.5149 ACRE)
OCCUPANCY GROUP	S-2 (METAL SCRAP YARD)
OCCUPANT LOAD	-
LOT COVERAGE	-
ALLOWABLE AREA & HEIGHT	-
MAXIMUM HEIGHT	-
OCCUPANCY	S-2
EXITING	-

17 SITE BUILDING DATA
N.T.S.

NOTE: ALL RAMPS MUST MEET ADA ACCESSIBILITY GUIDELINES (ADAAG) STANDARDS. ACCESSIBLE ROUTE SLOPE NOT TO EXCEED 1:20 WITH A CROSS SLOPE NOT TO EXCEED 1:50 (ADAAG 4.3.7). TRUNCATED DOMES, AS DETECTABLE WARNINGS ARE REQUIRED ON ALL ON-SITE RAMPS PER ADAAG SECTION 4.7.7. TRUNCATED DOMES, AS DETECTABLE WARNINGS ARE ALSO REQUIRED ON ALL ON-SITE WALKS THAT CROSS OR ADJOIN A VEHICULAR WAY PER ADAAG SECTION 4.29.5.



5 SITE PLAN
1" = 20'-0"

Exhibit E

Neighborhood Meeting 8/30/18 Sign-In
Name

- ① FRANK SCOT
- ② DANIEL THIEM
- ③ Francisco Bobadilla (Civil Engineer) Cruz Solutions
- ④ Jerre Martinez - Phinance Commercial Capital

August 30, 2018

Public Hearing: City of Avondale City Hall

Conditional Use Permit for New Avondale Recycling Center Inc
Subject Property: 941 E Brinker Dr, Avondale AZ 85323

Meeting Minutes – Start 6:05 pm

Q: How tall will the property wall be?

A: 10 feet

Q: What material will the wall be made of?

A: Block

Q: What recycling materials will be placed on the property?

A: Property will be a Ferrous Yard (Metals)

Q: How many gates will the property have and on which street will they be?

A: Property will have 2 gates. First will be the main customer gate, one being a Big Gate to be used for customer drive-up to ground scale to be weighed, then unload ferrous recycling materials and then exit through main gate. Second entrance will be a small gate for employees.

Q: Will any object be visible above the wall?

A: Yes, Small operating crane during business hours for loading/unloading. During after hours it will be lowered and not visible. No material will be visible from the street.

Q: What are the hours of operation?

A: Same hours as now. Summer 7 am - 6 pm, Winter 7 am – 5 pm.

Q to Byron Easton: As far as zoning goes, nothing would stop them from running a 24 hr operation?

A from Byron: No but that would come under the City's Noise and Environment Nuisance as a Code Violation.

A from Owner: The business location where they're at is crowded now and the goal for the new property is to give them more room. They know the owner wanted to sell the lot next door and they felt it would be a good opportunity to expand their business and give them more room.

Q: Will the block wall go around the property?

A: Yes, will go around the entire property.

Q: Will the entrance be on Eliseo Felix or Brinker Dr?

A: Brinker Rd. Entrance gate will be facing the one on their current property.

Q: Are you going to be doing car dismantling?

A: No dismantling. They will buy cars and put in bin but not take them apart. They will drain oil if need be. We request that most cars arrive without fluids/oils but they will be prepared if they need to drain any liquids and place into recycling bins which then be sold to recycling companies.

Q: So you're going to put in racks/drain systems? Will they be above ground or below?

A: Yes. The bins will be above ground and on top of thick concrete. Recycling companies will then remove liquids from bins.

Q: Are you going to asphalt the property?

A: Cement on main working yard and asphalt around.

Wall Height Correction: Walls will be 8 feet.

Byron: 8 feet is required but they can go up to 10 feet if they want.

Q: Will water retention be above or below ground?

A: There will be two water retention areas. Water from the outside will not come into the property and the water from the inside retention will not go outside of the property.

Q: Will water retention be outside the wall in the landscaping area?

A from Byron: This cannot be done. None of the water retention will be in the landscaping outside of the wall.

A from Owner: We are trying to prevent water from inside the property to go outside the property.

Q: How much of the property are they developing inside of the walls?

A from the Project Manager/GC (Adrian Barraza): Property size is 270 x 219 ft minus 20 feet setback, Working Area 102 x 127 ft and will be located in the NW Corner, the rest of the area will be granite. Outside the property will be a lot of landscaping and ground cover.

Q: Will anything be stored on the granite?

A from Byron: No. Anywhere where vehicles will drive need to be paved.

Q: Is it going to be a 20 ft opening for the gate?

A: Yes

Q: Are you going to use roll-off dumpsters or switch?

A: Yes, the existing roll-off dumpsters in our current yard will move over to retain the metals. Plastics and cans will remain in current location.

Q: Will the material be placed in the roll-offs and then taken out? Not in dumps or demolition trailers?

A: Yes, materials will be placed in roll-offs containers and then transported out of the property as is now. There is going to be a drive-in scale.

Q: What is the size of the drive-in scale? 40 or 60 ft?

A: Scale will be 70 ft. We are doing this for the business opportunity with existing Clients since most of the drive-in scale facilities are near downtown Phoenix.

Statement from Daniel Thiem: I own a lot of property in the area and I'm concerned that a large scrap yard will devalue my property.

A: Our goal is to maintain the business and continue to help the community by providing an income source for unemployed or elderly people.

Statement from Daniel Thiem: I understand that, but I'm concerned that if you build a bigger facility there will be twice as much trash across the street.

A from Owner: Our recycling center is not at fault of trash being dumped around the area, the cause of that is empty lots without fencing. Dumping around the area has nothing to do with the recycling center and we also suffer from this and have to clean the dumping around our property as well.

A from Byron: They are not being permitted as a storage facility, this is only supposed to be a Recycling Center so there should not be any scrap metal stored on site, it should be coming and going. If the business isn't running like that they run the risk of being cited.

A from Owner: We never stack the material regardless of price changes, it is always moving in and out of the property.

Q: How many storage facilities do you have?

A: This is our main property. It's a family business and other Brothers own separate recycling centers including in Buckeye. We try our best to maintain our lot as clean as possible but it's the public that dumps around the area and we also try to keep it clean since it affects us as well. We are only there until 5 or 6 pm and dumping occurs after hours which is impossible for us to control.

Statement from Frank Scott: A big problem is shopping carts that is left in the area.

A: We also have that problem and on occasion have hired an individual to remove the shopping carts and return them to the local grocery stores.

Project Manager/GC showed plans to public for review

Q: Lighting?

A: 2 inside the property

Q: Are you going to build a building?

A: No building other than small storage.

Q: When will you install the crane?

A from Owner: Immediately, will be a small crane.

A from Byron: Crane will be required to fold down and not be viewable during after hours.

Byron: Any further questions?

Public: Plans look great and expensive. No further questions

Byron: Next meeting: September 20th, 2018. Any further questions please direct them to me. Call to adjourn the meeting at 6:37 pm

Meeting recorded and Minutes transcribed by:
Serge Martinez , Commercial Mortgage Broker
Phinance Commercial Capital
602-350-0646

JL 9/5/18

Planning Commission Date: September 20, 2018

PREPARED BY: Rick Williams, Senior Planner (623) 333-4018
REVIEWED BY: Jodie Novak, Planning Manager (623) 333-4015
RECOMMENDATION: **APPROVAL SUBJECT TO CONDITIONS**

SUBJECT: Hold a public hearing for case PL-18-0175 D-Bat, a request for a Conditional Use Permit for an indoor sports training facility

LEASE AREA: 30,673 Square Feet

LOCATION: Avondale Commerce Center, Building A – 1050 N. Fairway Drive (Exhibits A and B)

APPLICANT: Vince Dalke, Dalke Design Group (480) 589-3793

OWNER: Lisa Ridgeway, Avondale Commerce Center, LLC (602) 265-5556



BACKGROUND:

Vince Dalke, with Dalke Design Group, LLC, on behalf of D-Bat, is requesting approval of a Conditional Use Permit (CUP) for an indoor sports training facility located in Building A, of the Avondale Commerce Center located at 1050 N. Fairway Drive; north of Van Buren Street and west of Avondale Boulevard. The Avondale Commerce Center is an existing 48-acre Business Park comprised of 13 buildings. Building A is approximately 30,673 square feet and is located in the southern portion of the Commerce Center adjacent to Fairway Drive (Exhibit A). The site was rezoned to Planned Area Development (PAD) in 2004.

DETAILS OF REQUEST:

The applicant has submitted a Tenant Improvement Application to the City of Avondale for an indoor sports training facility. The property is zoned PAD, which requires approval of a Conditional Use Permit (CUP) for any indoor recreational facility exceeding 25,000 square feet in gross building area. The

request is in conformance with the Avondale Commerce Center PAD. The Tenant Improvement Application cannot be approved until approval of a CUP is acquired.

The proposed indoor sports training facility provides individual and team training for kids of all ages focusing on baseball, softball, and golf. The facility will have twelve (12) dedicated mechanical pitching machines for baseball and softball batting practice, a sports related strength training area, and three (3) golf training simulators for golf swing training. The facility will also include a separate area large enough for team activities with flexible netting in an indoor climate-controlled tenant space. The hours of operation are 10:00 am to 9:00 pm Monday – Friday, 10:00 am to 8:00 pm Saturday, and Noon to 6:00 pm on Sundays.

PUBLIC INPUT:

The Applicant conducted a neighborhood meeting to discuss the proposed indoor sports training facility on Wednesday, August 22, 2018 in the Ocotillo Room at Avondale City Hall. The neighborhood meeting was advertised in the Southwest Valley Republic and a notification sign was erected on the subject property. Additionally, property owners within 1,000 feet of the subject site were notified of the meeting by postcards sent by City Staff. There were no members of the public in attendance at the meeting.

Prior to the neighborhood meeting, the details of the request were posted on the City's website under the social media section known as "aVOICE". Through aVOICE, nine individuals viewed the proposed development and three provided feedback on the social media site. All three of the responses were in support of the indoor sports training facility.

Postcards notifying nearby property owners of the Planning Commission meeting were mailed on August 30, 2018. Additionally, the sign was updated to include the time and date of the meeting on September 4, 2018. Lastly, a notice of the Planning Commission hearing was published in the Southwest Valley Republic on September 5, 2018. To date, Staff has received no additional correspondence with regards to these applications via phone, letter, or email.

ANALYSIS:

The Avondale Commerce Center PAD requires approval of a CUP for any indoor recreational facility exceeding 25,000 square feet in gross building area. In order to grant a CUP, Section 108.B of the Zoning Ordinance lists five findings that must be met. The burden of proof is upon the applicant. The findings and analysis are as follows:

1. That the proposed use (a) is consistent with the land use designation set forth in the General Plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the General Plan and (c) will be consistent with the desired character for the surrounding area.

(a) The proposed use is consistent with the property's Business Park designation and conforms to the Avondale Commerce Center PAD.

(b) The proposed use will provide the City with another regional destination spot as the only indoor training facility of this scale in the southwest valley. The facility will provide individual and team instruction. Additionally, there will be employment opportunities for Avondale residents as well as employees from surrounding municipalities.

(c) The proposed use will be located in an existing building within the Avondale Commerce Center. The business will operate in a climate-controlled tenant space.

2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.

(a) The proposed use is a compatible use to existing and planned businesses in the development including Phoenix Motorhomes, Camp Bow Wow, and Never Enough CrossFit. The use is held entirely indoors, appropriate parking spaces exist, and the hours will not conflict with other businesses' hours.

(b) Building A has 121 parking spaces available which exceeds the required parking for the proposed use by forty (40) spaces.

3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.

Building A of the Avondale Commerce Center is approximately 30,673 square feet and provides the optimal square footage for the indoor training facility. The site is developed in accordance with site development standards including setbacks, parking, screening, and landscaping. The development provides required parking to accommodate the proposed use.

4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

Access to the facility will be provided via two existing driveway entrances from Fairway Drive. The existing drive aisles and parking areas within the Commerce Center are sufficient to provide safe and efficient access to the indoor sports facility. The development has adequate internal vehicular and pedestrian circulation.

5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

The proposed indoor sports training facility meets all of the development standards and requirements contained in the Avondale Commerce Center PAD. The CUP includes additional conditions of approval specific to this request.

RECOMMENDATION:

Staff recommends approval of the requested Conditional Use Permit for the following reasons:

- The proposal meets the five required findings for approval of a CUP found in Section 108 of the Zoning Ordinance.
- The proposed CUP conforms to the intent and requirements of the Avondale Commerce Center PAD, the Zoning Ordinance, and the Commercial/Industrial/Multi-Family Design Manual.

REQUIRED ACTION:

Conduct a **public hearing** and determine if this request is in the best long-term interest of the community, meets the five required findings for a Conditional Use Permit, and is consistent with the objectives of the Zoning Ordinance and Commercial/Industrial/Multi-Family Design Manual.

PROPOSED MOTION:

I move that the Planning Commission accept the findings and recommend **APPROVAL** of application PL-18-0175, a request for a Conditional Use Permit for an indoor sports training facility located in Building A of the Avondale Commerce Center, subject to the two (2) Staff recommended conditions of approval.

CONDITIONS OF APPROVAL:

1. The D-Bat indoor sports training facility shall conform to the project narrative and site plan dated August 28, 2018.
2. The Conditional Use Permit approval shall expire two (2) years from the approval date if a permit for a tenant improvement is not obtained.

SUPPORTING DOCUMENTS ATTACHED:

Exhibit A: Aerial Photograph

Exhibit B: Zoning Vicinity Map

Exhibit C: D-Bat Narrative

Exhibit D: D-Bat Floor Plan

Exhibit E: Citizen Participation Report

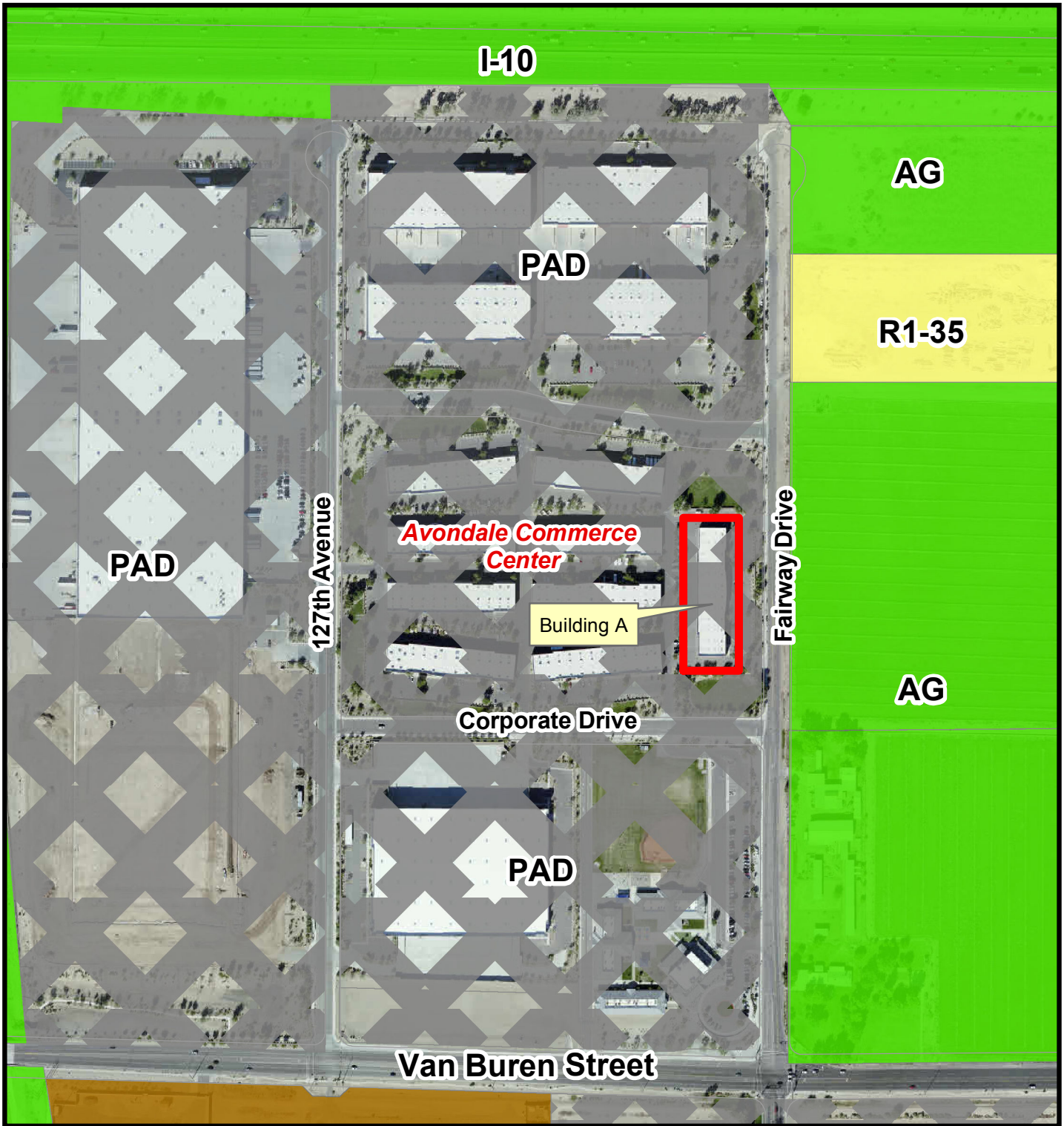


Aerial / Vicinity Map



Subject Property





Aerial / Zoning Map



Subject Property





D-Bat Training Facility

CUP Project Narrative - PL-18-0175

1050 N. Fairway, Building A.

August 28, 2018

Details of the Request:

The facility is proposed as a 30,673 s.f. tenant improvement occupying Building A in the Avondale Commerce Center project. The facility will be a new franchise for **D-Bat**, a national chain of baseball training facilities with the scope of the training including not only baseball, but also softball and golf. The facility will have (12) dedicated mechanical pitching machines for batting practice of both baseball and softball, a limited sport related strength training area, and (3) golf training simulators for golf swing training. The facility will also include a separate area for team training with flexible netting areas to accommodate team activities all within the indoor climate-controlled environment. The approved Avondale Commerce Center PAD requires any indoor training facility of this type, over 25,000sf, to obtain City Council approval of a Conditional Use Permit (CUP).

Current Conditions:

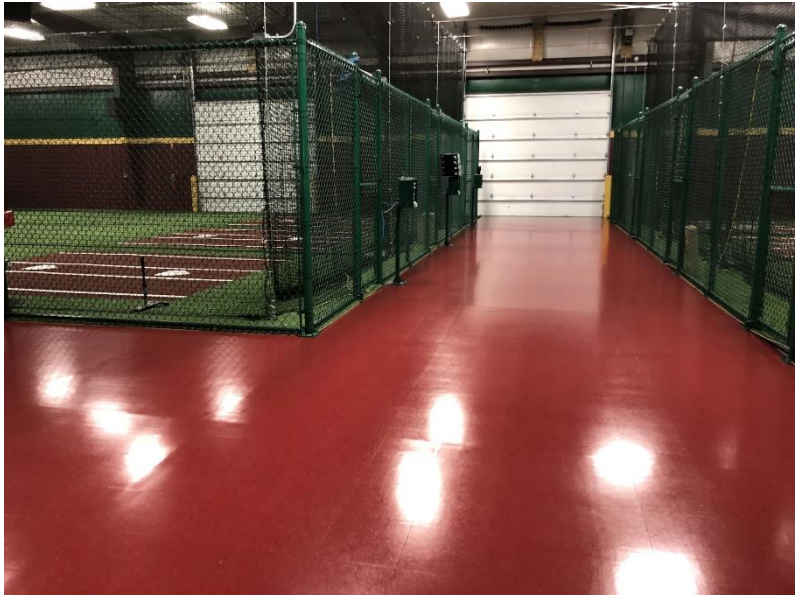
The existing building that this facility will be occupying is located within an established business park and is zoned Planned Area Development PAD. The building entrance door faces east fronting Fairway Drive, providing for ease of access and wayfinding. The location provides for vehicular access north from Van Buren St. via 127th Ave and Fairway Drive with on-site circulation being clear and straightforward via loop circulation and parking all around the building. All of the streets and driveways have been designed to accommodate more intense car and truck traffic volumes and therefore this facility will not overload the existing infrastructure. Lastly, the facility has a total of 121 parking spaces available for this building.

D-Bat Operations:

The hours of operation for the facility will be 10:00 am – 9:00 pm Monday – Friday, 10:00 am to 8:00 pm Saturday, and Noon to 6:00 pm on Sundays. These hours may change as needed for special events and if needed for the operation of the business, but the facility will never operate as a 24 hour facility.

The facility and uses will all be internal to the building and will not feature any exterior changes to the existing building. The east facing storefront will remain as well as all of west exterior doors. The west facing roll up doors will not be utilized except for

one door to allow for access of large pieces of equipment as needed. All of the other doors will be walled over to allow for a clean interior feel of the space as well as better insulation performance to the space. Due to the nature of the use the impacts to noise, smoke, dust, vibration, and city utilities to the adjacent properties and tenants is significantly less than other typical manufacturing / business park type uses.



Parking

The parking for the facility has been calculated as follows per the City of Avondale ordinance:

12 dedicated batting cages	1 per cage	=	12 spaces
3 dedicated golf tee/training	1 per tee	=	3 spaces
11,700 s.f. General indoor rec	1/200 s.f.	=	58.5 spaces
Total required		=	73.5 spaces or 74 spaces



As noted above, the building has 121 spaces available, which far exceeds the required 74 space. The extra capacity of 47 spaces over the required number of spaces will help with the overlap times between batting cage and team training sessions which can be a common issue in facilities of this type.

Five (5) Required Findings for Approval of a Conditional Use Permit

Pursuant to the requirements for Conditional Use Permit Submittals, the following are the (5) Required Findings:

1. That the proposed use (a) is consistent with the land-use designation set forth in the general plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the general plan and (c) will be consistent with the desired character for the surrounding area.



Response: Per the General Plan this site is designated as Business Park. Per this designation, one of the goals of this land use type being areas and uses that offer amenities that can promote active and passive activities to keep a healthy lifestyle for employees. This facility within this existing Business park meets those objectives in addition to providing for other employment and recreational opportunities for residents. Due to these factors the facility is consistent with the land-use designation, it meets the city guidelines for development in that area, and is consistent with the character of the area as the building will remain unchanged.

2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.

Response: The use is very compatible with other uses in that it provides for services that are clean and internal to the building. The use will be a benefit to the area, both to residential and the business park users, by providing a clean recreation use and function that is not in this area of the city.

3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.

Response: The site has clear loop circulation that is existing and meets the current standards for parking space sizes, landscape, and screening. As noted in the narrative, the parking for the facility will exceed the required number which will afford the site a "real life" buffer to the parking demand.



4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

Response: The site is located at the SEC intersection of Fairway Drive and Corporate Drive, with access from Vane Buren St. north via 127th Ave and Fairway Drive. The roads to and from this area were all designed for much higher car and truck volumes with this facility not adversely affecting the demands for these existing roads.

5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

Response: The proposed use will be completely interior to the building, without visual or noise implication to the neighbors or the community. Also, with the parking count being over the required amount, that potential impact has been addressed. Due to these factors, any perceived or real impacts have been mitigated by this proposal.

Summary:

In conclusion, the tenant and the landlord believe that this use will be a great benefit to the development, to the area, as well as to the city by providing a recreational use for all ages in this area of the community. The proposed use is a clean use and is not hidden in the back of the park but will be located on the visual street frontage of the development. All of the improvements are interior to the building with only one overhead door remaining operational for equipment access to the facility. Lastly, the parking for the facility exceeds the required number by 47 spaces which will accommodate for the "real life use" of the facility and the time lag between the turnover of the cages between training times. We hope that upon your review of this case that city and planning staff will support the project and this application for the conditional use permit.

Sincerely,

Vince Dalke
Dalke Design Group, LLC
2039 E. Rice Dr.
Tempe, AZ
480-589-3793
vince@dalkedesigngroup.com



1050 NORTH FAIRWAY DRIVE
AVONDALE, ARIZONA

[illegible]

EXHIBIT ONLY
NOT FOR
CONSTRUCTION
OR RECORDING

SHEET TITLE

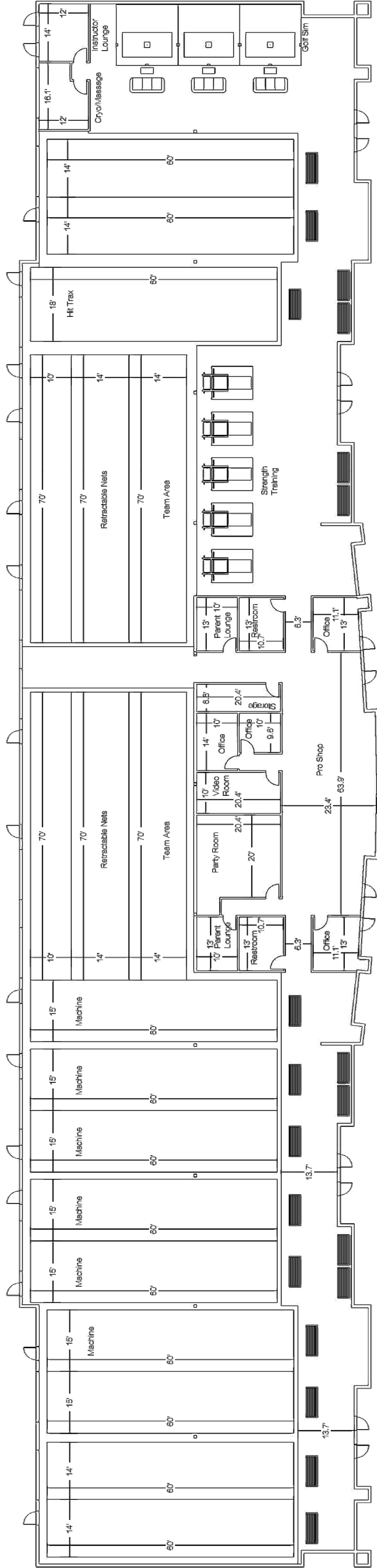
FLOOR PLAN

ISSUE DATE	2
DRAWN	1
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PROJECT NUMBER	

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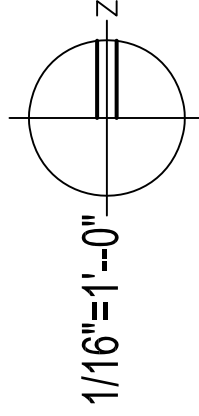
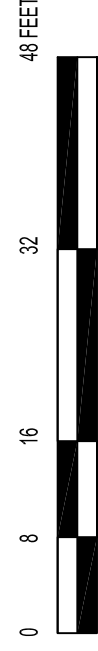


Turf: 18312.4673 ft²
Walkway: 7707.8429 ft²
Pro Shop: 1489.8892 ft²
Office Buildout: 3983.2628 ft²
Fencing: 420'
Benches: 20
Golf Simulators: 3
Power Racks: 5



D-BAT Avondale
1050 N. El Mirage Road

D-BAT Academies :: 2101 Midway Rd. STE 300, Carrollton, TX 75006 :: May 3, 2018

 $1/16"=1'--0"$ 

D-Bat Training Facility

CUP Neighborhood Meeting Update - PL-18-0175

1050 N. Fairway, Building A.

August 28, 2018

City Staff,

As required for this project and process, a neighborhood meeting was held on August 22, 2018. The meeting was held at Avondale City hall at 6:00 PM. Notification of the meeting was provided as required via newspaper, sign posting on the site, as well as a mailing to all neighbors within 1000' of the property. The applicant (Vince Dalke), Rick Williams (Senior Planner for the city) as well as the tenant. No neighbors attending this meeting.

If you need any additional information about this meeting, please e-mail or give me a call.

Sincerely,

Vince Dalke
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Tempe, AZ
480-589-3793
vince@dalkedesigngroup.com